

CLOSED

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

United States of America

v.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed on or After November 1, 1987)

Ana Fabiola Barreras-Santana

No. 08-15463-001M-SD

Citizen of Mexico

Juan Rocha (AFPD)
Attorney for Defendant

USM#: 75131-208

DOB: 1983

ICE#: A88 764 658

THE DEFENDANT ENTERED A PLEA OF guilty on to Count ONE of the Complaint.

ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S): violating Title 8, USC § 1325, Illegal Entry, a Petty offense, as charged in Count ONE of the Complaint.

IT IS THE JUDGMENT OF THE COURT THAT the defendant is hereby committed to the custody of the Bureau of Prisons for a term of FIFTEEN (15) DAYS, with credit for time served.

CRIMINAL MONETARY PENALTIES

The defendant shall pay to the Clerk, U.S. District Court, Attn: Finance, 880 Front Street, San Diego, California 92101, the following total criminal monetary penalties:

SPECIAL ASSESSMENT: \$10.00

FINE: \$

RESTITUTION: \$

All monetary penalties are due immediately or in regular monthly installments. If incarcerated, payments shall begin under the Bureau of Prisons Inmate Financial Responsibility Program. Any unpaid balance shall become a condition of supervision and shall be paid within prior to the expiration of supervision. Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address.

The total special assessment of \$10.00 shall be paid pursuant to Title 18, United States Code, Section 3013 for Count ONE of the Complaint.

Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address.

THE COURT FINDS that you have been sentenced in accordance with the terms of the plea agreement and that you have waived your right to appeal and to collaterally attack this matter. The waiver has been knowingly and voluntarily made with factual basis and with an understanding of the consequences of the waiver.

IT IS FURTHER ORDERED that the Clerk of the Court deliver two certified copies of this judgment to the United States Marshal of this district.

The Court orders commitment to the custody of the Bureau of Prisons.

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USA vs. Ana Fabiola Barreras-Santana

The defendant is remanded to the custody of the United States Marshal.

Date of Imposition of Sentence: **Thursday, March 13, 2008**

JAY R. IRWIN, United States Magistrate Judge

Date 3/13/2008

RETURN

I have executed this Judgment as follows: _____

Defendant delivered on _____ to _____ at _____, the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a Criminal case.

United States Marshal

By: _____
Deputy Marshal

CC: 08-15463-001M-SD -

DATE: 3/13/08 CASE NUMBER: 08-15463-001M-SD

PLEA/SENTENCING MINUTES

USA vs. Ana Fabiola Barreras-Santana

U.S. MAGISTRATE JUDGE: JAY R. IRWIN Judge #: 70BK

U.S. Attorney _____ INTERPRETER REQ'D Marcia Resler

LANGUAGE: Spanish

Attorney for Defendant Juan Rocha (AFPD)

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

DOA 3/12/08

☒ Complaint Filed

☒ Appointment of counsel hearing held

☐ Financial Afdvt taken

☒ No Financial Afdvt taken

☐ Financial Afdvt sealed

☒ Initial Appearance

DETENTION HEARING:

☐ Held ☐ Cont'd ☐ Reset ☐ UA

Set for: before:

☐ Defendant ordered temporarily detained in the custody of the United States Marshal

☐ Defendant ordered released (see order setting cond of rel) ☐ Bail set at \$ _____

☐ Defendant continued detained pending trial ☐ Flight Risk ☐ Danger

PLEA HEARING:

☒ Held ☐ Cont'd ☐ Reset

Set for: before:

☐ Consent to be tried by a Magistrate Judge signed ☐ Class A Misd ☐ Class B Misd ☐ Class C Misd

☐ Consent of Defendant ☐ Information filed _____ ☐ Complaint filed _____

☒ Defendant sworn and examined by the Court ☒ Plea of Guilty ☐ Not Guilty ☒ Entered to Counts ONE

☐ Defendant states true name to be _____. Further proceedings ORDERED in defendant's true name.

☒ Plea of Guilty entered as to Ct(s) ONE of the ☐ Information ☐ Indictment ☒ Complaint

☒ Court recommends/or accepts defendant's plea and finds plea to be freely and voluntarily given.

☐ Plea agreement: ☐ Lodged ☐ Filed ☐ Sealed

☐ Court does not accept defendant's plea of guilty because _____

☐ PSI ORDERED ☐ EXPEDITED ☒ PSI waived ☐ Time waived for passage of sentence

☐ Continued for sentence to ____ before _____

☐ To be dismissed upon entry of the judgment, Ct(s) ____

☒ ORDER vacate trial date/motion hearing/mtns moot

☐ ORDER defendant remain released pending sentence ☒ remanded to USM

SENTENCING:

☒ Defendant committed to Bureau of Prisons for a period of 15 days ☐ Probation/Supervised Release for _____

☒ Special Assessment \$ REMITTED ☐ Fine \$ _____ ☐ Restitution \$ _____

Other: _____

RECORDED: CS

BY: Angela J. Tuohy, Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

United States of America,
Plaintiff,

vs.

Ana Fabiola Barreras-Santana
Defendant.

CASE NUMBER *08-15463M-SD*

WAIVER OF REMOVAL HEARING

I waive my right to have a Removal Hearing and agree that my case may be adjudicated in the Southern District of California.

DATED this *13* day of *March*, 2008.

x Ana Fabiola Barreras S.
Defendant

[Signature]
Attorney for the Defendant

03/12
United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Ana Fabiola BARRERAS-Santana

Citizen of Mexico

YOB: 1983

088764658

Illegal Alien

CRIMINAL COMPLAINT

CASE NUMBER: 08-15463M-SD

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

COUNT I

That on or about February 5, 2008, near Andrade, California in the Southern District of California, Defendant Ana Fabiola BARRERAS-Santana, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

Continued on the attached sheet and made a part hereof. ☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

March 13, 2008
Date

at

Yuma, Arizona
City and State

Jay R. Irwin, U.S. Magistrate
Name & Title of Judicial Officer

Signature of Complainant
Chris Cantua
Senior Patrol Agent
Signature of Judicial Officer

STATEMENT OF FACTUAL BASIS

Defendant: Ana Fabiola BARRERAS-Santana

Dependents: 1 Mexican

IMMIGRATION HISTORY: The Defendant is an illegal alien.

CRIMINAL HISTORY: None found.

<u>DATE LOCATION</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>
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Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Yuma Border Patrol agents near Yuma, Arizona.

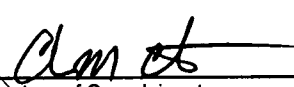
The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

The Defendant was transported to the Yuma station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

The Defendant last entered the United States illegally without inspection near Andrade, California on February 5, 2008.

Charges: 8 USC§1325

(Misdemeanor)



Signature of Complainant

Sworn to before me and subscribed in my presence,

March 13, 2008

Date



Signature of Judicial Officer